


# BAKER BOTTS LLP

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AP/1653  
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 <p><b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)</p>	Application Number	09/673,274
	Filing Date	2/2/01
	First Named Inventor	Lamberty
	Group Art Unit	1653
	Examiner Name	Liu, Samuel W.
Total Number of Pages in This Submission	Attorney Docket Number	33595-PCT-USA 072667.0166

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks <input type="checkbox"/>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	<i>Carmella L. Stephens</i> Att Name: Carmella L. Stephens PTO Reg: 41,328
Date	June 29 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: <input type="text" value="June 29 2004"/>	
Typed or printed name	Carmella L. Stephens
Signature	<i>Carmella L. Stephens</i> Date: June 29 2004

**BAKER BOTTS** LLP

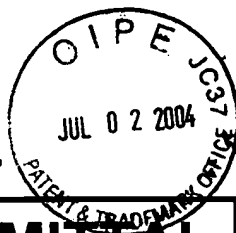
Attorney Docket Number: 33595-PCT-USA 072667.0166

Title: GENE CODING FOR HELIOMICINE, AND USE THEREOF



Use Space Below for Additional Information:

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **0**

**Complete if Known**

Application Number	09/673,274
Filing Date	2/2/01
First Named Inventor	Lamberty
Examiner Name	Liu, Samuel W.
Art Unit	1653
Attorney Docket No.	33595-PCT-USA 072667.0166

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number: **02-4377**  
 Deposit Account Name: **Baker Botts LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee required under 37CFR 1.16 and 1.17

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$) 0</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		- 20 =	0	X		=	0
Independent Claims		- 3 =	0	X		=	0
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$) 0</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **0**

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	<b>Carmella L. Stephens</b>	Registration No. (Attorney/Agent)	<b>41,328</b>	Telephone	<b>212.408.2539</b>
Signature	<i>Carmella L. Stephens</i>	Date	<b>June 29 2004</b>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mireille Lamberty *et al.*  
Serial No. : 09/673,274                      Examiner : Liu, Samuel W.  
Filed : October 12, 2000                      Group Art Unit : 1653  
For : GENE CODING FOR HELIOMICINE, AND USE THEREOF

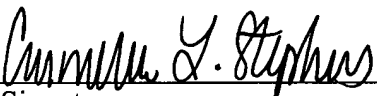
**AMENDMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: After Final, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

June 29, 2004  
Date of Deposit

Carmella L. Stephens  
Attorney Name

41,328  
PTO Registration No.

  
Signature

June 29, 2004  
Date of Signature

Mail Stop: After Final  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

This paper is being filed in response to the Office Action, dated April 29, 2004, that was issued in connection with the above-identified application. Applicants respectfully request entry and consideration of the amendments and remarks presented herein.

**Amendments to the Claims begin on page 3 of this paper.**

**Remarks** begin on page 13 of this paper.